

**EXAMINER'S AMENDMENT**

1. The remarks and amendments filed 10 June 2010 have been entered. Claims 1, 9-12, 27-31 are pending and under examination.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10 June 2010 has been entered.

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevin Bastian on 21 September 2010.

4. The application has been amended as follows:

Claim 1 has been re-written as follows:

A method for detecting or selecting a dopaminergic neuron and/or a progenitor thereof, wherein the method comprises the step of contacting a cellular sample with a nucleic acid, wherein the nucleic acid comprises a sequence at least 80% identical to SEQ ID NO:13, 15, or 17, wherein the cellular sample comprises cells from the ventral midbrain of an animal.

In claim 9, step (a) has been re-written as follows:

(a) contacting a cellular sample that comprises cells from the ventral midbrain of an animal with a nucleic acid, wherein the nucleic acid comprises a sequence at least 80% identical to SEQ ID NO:13, 15, or 17, and

In claim 12, step (a) has been re-written as follows:

(a) contacting a cellular sample that comprises cells from the ventral midbrain of an animal with a nucleic acid, wherein the nucleic acid comprises a sequence at least 80% identical to SEQ ID NO:13, 15, or 17, and

5. Support for the amendments can be found at p. 12 line 36 - p. 13 line 15 of the specification. In the remarks filed 10 June 2010 applicant indicated that AF078166, cited by the examiner in the prior art rejections of record, is set forth as SEQ ID NO:19 in the present case (remarks, p. 7 first complete paragraph) and that this sequence is 70-71% identical to SEQ ID NO:13 and 15 (remarks, p. 8, final paragraph). The paragraph spanning pp. 11-12 of the specification defines nucleic acids to be used in detection methods to include double-stranded nucleic acids.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel E. Kolker whose telephone number is (571)272-3181. The examiner can normally be reached on Mon - Fri 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Stucker can be reached on (571) 272-0911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daniel E Kolker/

Primary Examiner, Art Unit 1649

September 21, 2010